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1638

PATENT  
Docket No.: 19603/3296 (CRF D-2098B)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Bogdanove et al.

Serial No.: 09/596,784

Filed: June 19, 2000

For: HYPERSENSITIVE RESPONSE ELICITOR  
FROM *ERWINIA AMYLOVORA*, ITS USE, AND  
ENCODING GENE

Examiner:  
Unknown

Art Unit:  
1638

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:


Transmitted herewith in the above-identified application are:

- ☒ Submission of Corrected Combined Declaration and Power of Attorney Forms (with 2 corrected Combined Declaration and Power of Attorney Forms attached);
- ☒ Request for Corrected Filing Receipt;
- ☒ Second Preliminary Amendment; and
- ☒ A self-addressed, prepaid postcard for acknowledging receipt.

☒ The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 14-1138.

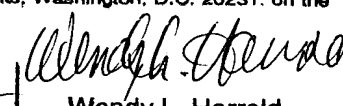
**A duplicate copy of this sheet is enclosed.**

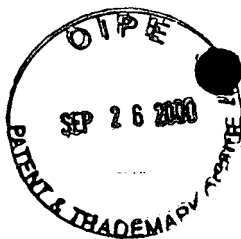
Date: September 20, 2000

  
Edwin V. Merkel  
Registration No. 40,087

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Facsimile: (716) 263-1600

R431539.1

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9/20/00	
Date	Wendy L. Harrold



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SUBMISSION OF CORRECTED COMBINED DECLARATION  
AND POWER OF ATTORNEY FORMS


Assistant Commissioner of Patents  
Washington, D.C. 20231

Dear Sir:

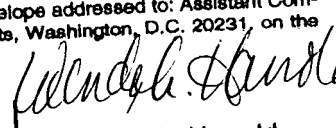
Applicants submit herewith copies of two **corrected** Combined Declaration and Power of Attorney forms as filed on May 11, 2000, in the parent application (U.S. Patent Application Serial No. 09/120,663) to the above-identified patent application.

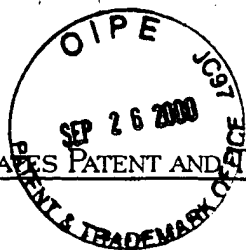
If any fees are due in regard to the submission of this Combined Declaration and Power of Attorney, please charge our Deposit Account No. 14-1138.

Date: September 20, 2000

  
Edwin V. Merkel  
Registration No. 40,087

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Date	Wendy L. Harrold



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/596,784	06/19/2000	1638	345	19603/3296 (CRF D-2098B)	5	18	1

## FILING RECEIPT



\*OC000000005382929\*

Michael L Goldman  
Nixon Peabody LLP  
Clinton Square  
P O Box 31051  
Rochester, NY 14603

Date Mailed: 09/07/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

## Applicant(s)

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Jihyun Francis Kim, Ithaca, NY ;  
Zhong-Min Wei, Kirkland, WA ;  
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## Continuing Data as Claimed by Applicant

THIS APPLICATION IS A DIV OF 09/120,663 07/22/1998  
WHICH CLAIMS BENEFIT OF 60/055,106 08/06/1997 \*  
(\* ) Data inconsistent with PTO records.

## Foreign Applications

60/055,106 08/06/1997

If Required, Foreign Filing License Granted 08/10/2000

\*\* SMALL ENTITY \*\*

## Title

Hypersensitive response elicitor from Erwinia amylovora, its use, and encoding gene

## Preliminary Class

435

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Data entry by : SAHLE, ALMAZ

Team : OIPE

Date: 09/07/2000

**LICENSE FOR FOREIGN FILING UNDER**  
**Title 35, United States Code, Section 184**  
**Title 37, Code of Federal Regulations, 5.11 & 5.15**

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**PLEASE NOTE the following information about the Filing Receipt:**

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
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- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
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- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

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